

Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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OFFICE OF THE SECRETARY

In the Matter of)

1998 Biennial Review --)

Streamlined Contributor Reporting)

Requirements Associated)

with Administration of)

Telecommunications Relay Services,)

North American Numbering Plan,)

Local Number Portability, and)

Universal Service Support)

Mechanisms)

CC Docket No. 98-171

MOTION FOR ACCEPTANCE OF
THE CELLULAR TELECOMMUNICATIONS INDUSTRY ASSOCIATION'S
COMMENTS

Pursuant to section 1.415 of the Commission's rules,
the Cellular Telecommunications Industry Association
("CTIA") hereby respectfully requests the Commission to
accept its Comments in the above-captioned proceeding. The
Commission's Notice of Proposed Rulemaking and Notice of
Inquiry requested interested parties to file comments in
this proceeding on or before October 30, 1998. However,
due to various administrative delays, CTIA was unable to
file its comments by the established deadline.

CTIA submits that acceptance of its Comments is
warranted as it addresses matters of substantial importance
to the wireless industry. The undersigned counsel shall

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ensure that copies of the instant Motion and CTIA's Comments are served, by first class mail, to all parties that filed Comments in the instant proceeding so that no party will be prejudiced by the one-day delay in filing CTIA's Comments.

Accordingly, CTIA respectfully urges the Commission to accept for full consideration the accompanying Comments.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Michael F. Altschul", written over a horizontal line.

Michael F. Altschul
Vice President and General Counsel

Randall S. Coleman
Vice President
Regulatory Policy & Law

Lolita D. Smith
Staff Counsel

**CELLULAR TELECOMMUNICATIONS
INDUSTRY ASSOCIATION**
1250 Connecticut Avenue, N.W.
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November 2, 1998

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COMMENTS OF
THE CELLULAR TELECOMMUNICATIONS INDUSTRY ASSOCIATION

Pursuant to the Commission's September 25, 1998 Notice of Proposed Rulemaking ("NPRM") and Notice of Inquiry ("NOI"), the Cellular Telecommunications Industry Association ("CTIA")¹ hereby submits its comments in the above-captioned proceeding.

I. INTRODUCTION

CTIA fully supports the Commission's initiative to streamline the filing of multiple, but similar,

¹ CTIA is the international organization of the wireless communications industry for both wireless carriers and manufacturers. Membership in the association covers all Commercial Mobile Radio Service ("CMRS") providers and manufacturers, including 48 of the 50 largest cellular and broadband personal communications service ("PCS") providers. CTIA represents more broadband PCS carriers and more cellular carriers than any other trade association.

telecommunications reporting forms. The proposed rule amendments will lessen and simplify the filing burden for carriers - with the promise to enhance administrative efficiencies. Specifically, CTIA supports a single worksheet, a uniform filing schedule and filing location, the promotion of electronic filing, a uniform revenue basis for contributions, and a single billing and collection agent, provided that accuracy, accountability and administrative costs are not negatively impacted. The Wireless and Common Carrier Bureaus should be given the authority to revise the uniform worksheet, as necessary, to tailor the needs of the fund administrators to the capabilities and practices of the wireless industry. Every telecommunications carrier should file the form regardless of whether a contribution is due. CTIA believes that these measures will streamline the Commission's processes, providing cost-saving administrative efficiencies, and reducing carrier burdens, while satisfying reporting requirements.

II. THE NOTICE OF PROPOSED RULEMAKING

A. Administrative Efficiencies

The proposed rule amendments will simultaneously lessen and simplify the filing burden for carriers and enhance administrative efficiencies. The current practice

of collecting essentially the same data² to serve as the funding base for multiple programs on separate forms for use by separate program administrators is neither cost effective nor efficient. The proposal to streamline the data collection process for the multiple programs by developing a single, uniform data collection form, administered by a single billing and collection agent and shared among program administrators will significantly reduce the burdens on contributors and those tasked with program administration. Efficiencies will be gained through the maintenance of a common database. When questions or issues arise regarding reported data, only one contact with the service provider is needed. This has the

² "Same data" refers not only to identifying information and contact information, but also to revenue data which is used to determine the contribution amount. In the NPRM, the Commission proposes to require reporting of end-user revenue and revenue from other contributors. This revenue data is currently required for universal service and local number portability. The TRS fund requires gross telecommunications revenues. The NANPA fund requires gross telecommunications revenues and selected expense data. The FCC, in the Universal Service Order, has previously defined end-user telecommunications revenues "to include not only all revenues from end users, but also revenues derived from other sources, such as subscriber line charges and revenues collected from carriers that purchase telecommunications services for their own internal use." 12 FCC Rcd. at 9206-07. This definition is sufficiently broad and effectively carries out the purposes of both the TRS Fund and the NANPA fund.

added benefit of making enforcement efforts more efficient.

B. FCC Form 499

CTIA supports using a single form to collect the data necessary to support the billing and collection of funds for the various federally funded programs outlined in the NPRM.

The proposed data collection form appears to contain sufficient information for each of the billing and collection agents to perform their assigned tasks. As noted by the North American Billing and Collection, Inc.

("NBANC"), the NANPA Contribution Factor (Line 326) should not be included on the data collection form itself-- because section 52.16 of the Commission's rules requires NBANC to "Calculate, assess, bill and collect payments for numbering administration functions." Assuming no change to the NANP billing and collection requirements, inclusion of the NANP Contribution Factor on the form is unnecessary since the contribution factor will not be known at the time of the form's distribution.

C. Timing Issues and Proposed Common Data Period

The NPRM proposes to collect prior calendar year revenue on the first day of April each year. The collected data will be the basis for determining a carrier's funding requirement for each program. Under such a scheme, the

base year for contributions to the NANPA cost recovery will be the immediately preceding year - consistent with current practices for universal service and TRS Fund support mechanisms. CTIA has learned from NBANC that any contribution factor that is developed will necessitate using program costs from more than one funding year.³ For example, if the Commission were to establish July 1st as the date that contribution factors for the programs would be effective, it would necessitate including seven months of costs from year 2 and five months of costs from year 3 of the respective contracts in developing the "annual" contribution factor.⁴

Under the Commission's proposal, 1998 data would be submitted on April 1, 1999 and serve as the basis for funding some unspecified period. The database administrator would likely need some period of time to

³ For example, NBANC currently is collecting calendar year 1997 revenue information to establish the funding requirement for Year 2 of the North American Numbering Plan Administrator and Billing and Collection Agents' contracts which begin in March 1999, before the calendar year 1998 revenue data is due to be submitted.

⁴ If July 1 is the date that contribution factors can be used for initial bills, payments from July billing would, under the Commission's proposal be due August 1st, with payment to the NANP Administrator due on August 23rd. Under this cycle, year 2 costs for August 1998 through February 1999 and year 3 costs for March 1999 through July 1999 would need to be included in the factor development.

process the forms, follow-up with non-filers, resolve issues with questionable data, et cetera, before the data would be usable for development of contribution factors for the various programs. Once the data is usable for this function, the respective administrators would be required to file the contribution factors with the Commission for approval, prior to using them for billing.

The Commission may be contemplating use of a schedule that is similar to the one adopted for its universal service programs, i.e., telecommunications carriers submit the FCC Form 499 on April 1st, the respective administrators would file their contribution factors on May 1st, and the factors would be effective July 1st. CTIA urges the FCC to provide sufficient time to permit each of the program administrators to develop and file their respective contribution factors. The Universal Service Administrative Company's ("USAC") May 1, 1998 filing of its contribution base for the third quarter of 1998 indicated that it had to estimate the revenues for approximately 18 percent of the total funding base because it had not yet received the required forms.⁵

⁵ Fund Size Projections and Contribution Base for Third Quarter, USAC filing of May 1, 1998, at page 18.

D. Cost Allocation

The Commission asks whether it is appropriate to alter existing contracts with any respective administrators. If the proposal to adopt a single data collection form and thereby allow program administrators to use a common billing and collection database is adopted, the Commission must ensure that the cost savings are passed through by the administrators, and not captured as a windfall under the existing contracts. In addition, the Commission should recommend a mechanism that will allocate of the costs of the combined process to the respective administrators for their program.

Any cost allocation mechanism for sharing the data collection, processing and system costs should equitably distribute costs. One method is to simply split those costs equally among the four administrators. All of the programs require the same or similar information regarding each carrier's name, address, contact information, et cetera. The percentage of costs for data collection processing and database administration attributable to required information that is not program specific could be allocated equally across the board. The cost for the remaining line items could then be allocated to each specific program.

III. NOTICE OF INQUIRY

In the Notice of Inquiry, the Commission requests comment on approaches for reducing burdens and maximizing the efficiency of the reporting requirements process. CTIA supports the proposal to use a single billing and collection agent, recognizing that the Commission may need to provide sufficient time for the various fund administrators to synchronize their collection schedules.

A single collection and billing agent is the logical consequence of the development of one streamlined form for data collection. A single billing agent would enable carriers to write one check to one agent, further decreasing their reporting burdens. Any concern regarding increased costs due to the loss of competing billing and collection agents could be remedied through a competitive bidding process for the award of the single agent contract.

III. CONCLUSION

CTIA supports the use of a single form to collect the data necessary to support the billing and collection of funds for the various federally funded programs outlined in the NPRM, a uniform filing schedule and filing location, the promotion of electronic filing, uniform revenue basis for contributions, and ultimately, a single billing and collection agent.

Respectfully submitted,



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October 30, 1998